

REMARKS

In the present Amendment, claim 1 has been amended for clarification and to recite that said charge collectors are substantially planar and parallel to said sides of said battery element, that said lead terminals are substantially planar or having a crank shape, and that the connected surfaces of said lead terminals are horizontal. Section 112 support for the amendments may be found, for example, at page 12, lines 9-13 and Figure 6 of the specification. No new matter has been added, and entry of the Amendment is respectfully requested.

Claims 1 and 3-10 are pending.

At page 2 of the Action, claims 1 and 3-10 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly being non-enabled.

The Examiner states:

“... the specification, while being enabling for tabs which are collectively joined to form a battery element with charge collectors, does not reasonably provide enablement for the presently claimed “positive and negative charge collectors connected, respectively, to the tabs of said positive electrodes... [and] said negative electrodes....” ... See the specification on page 11, lines 13-17 which discloses that the tabs themselves, collectively, form the charge collectors. Presently, the claims appear to recite charge collectors which are stand-alone and mutually exclusive to the tabs.”

As noted, claim 1 has been amended to address the Examiner’s concern. Withdrawal of the § 112 rejection is respectfully requested.

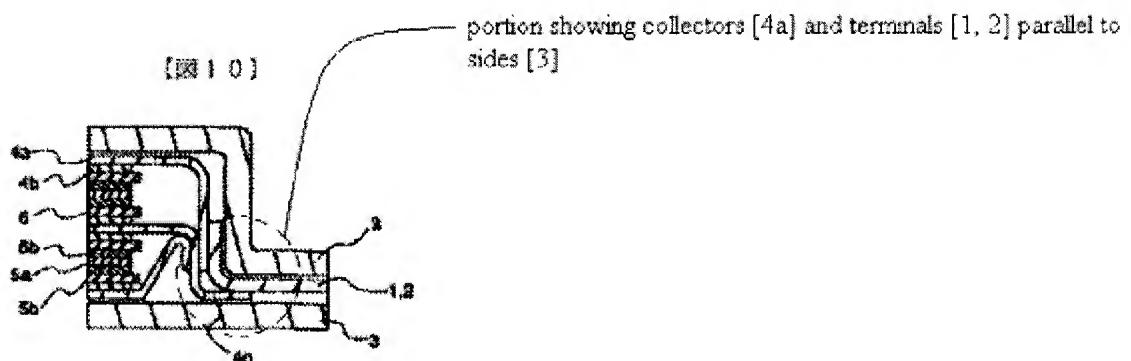
At page 3 of the Action, claims 1, 4-6, 9 and 10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by JP 2002-298825.

At page 4 of the Action, claims 3 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP '825.

Applicants submit that these two rejections should be withdrawn because JP '825 does not disclose or render obvious the film covered battery of the present invention.

At pages 3 and 4 of the Action, the Examiner contends:

“... in JP '825 positive and negative charge collectors [4a] are a collective joining of corresponding tabs to the positive and negative electrodes. All of Figures 1-3, 5, 6 and 8-11 show that the electrodes are joined in the thickness direction. The terminals [1, 2] are positioned between and parallel to the first and second side of the battery element. This configuration may be appreciated from Figure 10, appended herein:



Applicant's arguments ... have been fully considered, however they are not found persuasive. Applicant submits that in alleged contrast to JP '825, the present invention has its charge collectors and lead terminals parallel to the sides of the battery element. This alleged distinction is not persuasive, as Figure 10 of JP '825 shows

the charge collectors [4a] and terminals [1, 2] also in parallel to the sides [3] of the battery.”

As explained in the Amendment filed February 15, 2008, JP ‘825 discloses a collector terminal which is preliminarily curled into the final bent shape and then the lead terminal is connected to the collector terminal. The lead terminals in JP ‘825 are angular (e.g., to have a right angle), but not to be planar or to have a crank shape. As Applicants understand the phrase “crank shape,” it refers to a shape similar to that of the hand cranks used to start early vintage automobiles.

To more clearly distinguish over JP ‘825, claim 1 has been amended to recite that said charge collectors are substantially planar and parallel to said sides of said battery element, that said lead terminals are substantially planar or having a crank shape, and that the connected surfaces of said lead terminals are horizontal.

Because the positive and negative charge collectors in the present claims are horizontal, they can be pinched together from both the top and bottom positions by a jig. Therefore, the collectors can be more securely held by a jig than by the device in JP ‘825. In particular, when supersonic welding is applied, the bending ratio of the collectors is smaller, and this reduces the risk of cutting collectors.

In view of the above, reconsideration and withdrawal of the rejections based on JP ‘825 are respectfully requested.

At page 5 of the Action, claim 8 is objected to as being dependent upon a rejected base claim, but is indicated to be allowable if rewritten in independent form.

Applicants submit that claim 8 is patentable in its present form because claim 1 is patentable over JP ‘825 as discussed above.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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